

**Enrolled Minutes of the Eighty-First Regular or Special Meeting
For the Twenty-Eighth Highland Town Council
Regular Plenary Business Meeting
Monday, January 28, 2019**

Study Session. The Twenty-Eighth Town Council of the Town of Highland, Lake County, Indiana met in a study session preceding the regular meeting on Monday, January 28, 2019 at 6:40 O'clock P.M. in the regular place, the meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

Silent Roll Call: Councilors Mark Herak, Dan Vassar, Steven Wagner, Konnie Kuiper and Bernie Zemen were present. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

General Substance of Matters Discussed.

1. The Town Council discussed the agenda of the imminent meeting.

The study session ended at 6:58 O'clock p.m.

Regular meeting. The Twenty-Eighth Town Council of the Town of Highland, Lake County, Indiana met in its regular session on Monday, January 28, 2019 at 7:00 O'clock P.M. in the regular place, the plenary meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

The Town Council President, Steven Wagner presided. The Town Clerk-Treasurer, Michael W. Griffin, was present to memorialize the proceedings. The meeting was opened with Councilor Dan Vassar reciting the Pledge of Allegiance to the Flag of the United States of America and offering a prayer.

Roll Call: Present on roll call were Councilors Bernie Zemen, Mark Herak, Dan Vassar, Steven Wagner, Konnie Kuiper and Bernie Zemen. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

Additional Officials Present: Jared Tauber, Esq., Tauber Law Offices; Pete Hojnicki, Metropolitan Police Chief; John M. Bach, Public Works Director; William R. Timmer, Jr., CFOD, Fire Chief; Alex M. Brown, CPRP, Parks and Recreation Superintendent; and Kathy DeGuilio-Fox, Redevelopment Director were present.

Also present: Larry Kondrat, Board of Waterworks Directors; and Ed Dabrowski, IT Consultant (Contract) were also present.

Minutes of the Previous Meetings: The minutes of the regular meeting of 14 January 2019, were approved by general consent.

Special Orders:

1. **Consideration of Proposed Additional Appropriations:** (non-controlled funds) Proposed Additional Appropriations in Excess of the 2019 Budget for the Unsafe Building Fund, General Improvement Fund, Municipal Cumulative Street Fund, Gaming Revenue Sharing Fund, and Indiana Bicentennial Legacy Project Fund.
 - (a) Attorney verification of Proof of Publication: The TIMES 17 Jan 2019. Attorney J Tauber stated that the proof was in compliance with IC 5-3-1.
 - (b) **Public Hearing.** The Town Council president called the hearing to order. There was the following comment:

1. Larry Kondrat, 8115 E. 4th, Highland, sought clarification regarding whether the permission to spend was in addition to the something adopted for these funds in the FY 2019 Budget. With leave from the Town Council, the Clerk-Treasurer confirmed these funds were not included in the annual budget process. These are funds that have no property tax levies as part of their resources.

There were no further comments or remonstrances. The hearing was closed.

- (c) Action on **Appropriation Enactment No. 2019-07**: An Enactment Appropriating Additional Moneys in Excess of the Annual Budget for the Unsafe Building Fund, in the amount of \$141,498; General Improvement Fund, in the amount of \$7,000; Municipal Cumulative Street Fund, in the amount of \$40,000; Gaming Revenue Sharing Fund, in the amount of \$80,000; and Indiana Bicentennial Legacy Project Fund in the amount of \$920, all pursuant to I.C. 6-1.1-18, and I.C. 36-5-3-5.

Councilor Herak introduced Enactment No. 2019-07 and moved for its consideration on the same night of its introduction. Councilor Zemen seconded. Upon a roll call vote, a unanimous vote being necessary, there were five affirmatives and no negatives. The motion passed. Enactment No. 2019-07 could be considered at the same meeting of its introduction.

Councilor Herak moved for the passage and adoption of Enactment No. 2019-07 on the same night of its introduction. Councilor Zemen seconded. Upon a roll call vote, a two-thirds vote being necessary, there were five affirmatives and no negatives. The motion passed. The Enactment was passed and adopted at the same meeting of its introduction.

Town of Highland
Appropriation Enactment
Enactment No. 2019-07

AN ENACTMENT APPROPRIATING ADDITIONAL MONEYS IN EXCESS OF THE ANNUAL BUDGET for the UNSAFE BUILDING FUND, GENERAL IMPROVEMENT FUND, MUNICIPAL CUMULATIVE STREET FUND, GAMING REVENUE SHARING FUND AND THE INDIANA BICENTENNIAL LEGACY PROJECT FUND, ALL PURSUANT TO I.C. 6-1.1-18, and I.C. 36-5-3-5.

WHEREAS, Following a public hearing advertised pursuant to I.C. 5-3-1, it has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget for the **Unsafe Building Fund, General Improvement Fund, Municipal Cumulative Street Fund, Gaming Revenue Sharing Fund, and the Indiana Bicentennial Legacy Project Fund**;

WHEREAS, It has been determined that such additional appropriations as may be approved by this enactment, will not increase the levies set under I.C. 6-1.1-17, all pursuant to I.C. 36-5-3-5;

NOW, THEREFORE BE IT ENACTED by the Town Council of the Town of Highland, Lake County, Indiana, as follows:

Section 1. That for the expenses of said municipality, the following additional sums of money are hereby appropriated and ordered set apart out of the **Unsafe Building Fund** herein named and for the purposes herein specified, subject to the laws governing the same:

UNSAFE BUILDING FUND	
Acct. No. 003-0000-310.05 Demolition Costs:	<u>\$ 141,498.00</u>
Total Series:	\$ 141,498.00
Fund Total:	\$ 141,498.00

Section 2. That for the expenses of said municipality, the following additional sums of money are hereby appropriated and ordered set apart out of the **General Improvement Fund** herein named and for the purposes herein specified, subject to the laws governing the same:

GENERAL IMPROVEMENT FUND

Acct. No. 083-0000-34003 Record/Releasing Lien		\$ 7,000.00
	Total Series:	\$ 7,000.00
	Fund Total:	\$ 7,000.00

Section 3. That for the expenses of said municipality, the following additional sums of money are hereby appropriated and ordered set apart out of the **Municipal Cumulative Street Fund** herein named and for the purposes herein specified, subject to the laws governing the same:

MUNICIPAL CUMULATIVE STREET FUND		
Acct. No. 088-0000-44010 Sidewalk Replacement:		\$ 40,000.00
	Total Series:	\$ 40,000.00
	Fund Total:	\$ 40,000.00

Section 4. That for the expenses of said municipality, the following additional sums of money are hereby appropriated and ordered set apart out of the **Municipal Cumulative Street Fund** herein named and for the purposes herein specified, subject to the laws governing the same:

GAMING REVENUE SHARING FUND		
Acct. No. 091-0000-31002 Engineering:		\$ 80,000.00
	Total Series:	\$ 80,000.00
	Fund Total:	\$ 80,000.00

Section 5. That for the expenses of said municipality, the following additional sums of money are hereby appropriated and ordered set apart out of the **Indiana Bicentennial Legacy Project Fund** herein named and for the purposes herein specified, subject to the laws governing the same:

INDIANA BICENTENNIAL LEGACY PROJECT FUND		
Acct. No. 034-0000-39113 Framing and Plaques:		\$ 920.00
	Total Series:	\$ 920.00
	Fund Total:	\$ 920.00

Section 6. That the Clerk-Treasurer is hereby authorized and instructed to inform the Department of Local Government Finance of this action and that these monies be made available for expenditure pursuant to I.C. 6-1.1-18.

Section 7. That in satisfaction and for the purposes of the provisions set out in I.C. 36-5-2-9.6, I.C. 36-5-3-5, I.C. 36-5-4-2, this enactment shall be deemed properly filed and introduced before the Town Council at a regular or special meeting, properly called and convened pursuant to I.C. 5-1.5-14 *et seq.*

Introduced and Filed on the 28th Day of January 2019. Consideration on the same day or at same meeting of introduction sustained a vote of 5 in favor and 0 opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED AND ADOPTED this 28th Day of January 2019, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

/s/ Steve Wagner, President (IC 36-5-2-10)

ATTEST:

/s/ Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)

2. Presentation of Plaque of appreciation to the 67th Town Council President, Mark A. Herak. The Town Council President Presented Councilor Herak with a plaque that read as follows:

On behalf of the people of Highland, the Town Council and the Town Clerk-Treasurer present this special expression of appreciation
to

Mark A. Herak

In recognition of his service to the Town of Highland, Indiana serving as the Sixty-Seventh President of the Highland Town Council, for a term commencing January 8, 2018 through January 14, 2019.

Presented on the 28TH Day of January 2019 in the Town of Highland, Lake County, Indiana, by its Town Council and Clerk-Treasurer.

Appointments:

Executive Appointments

1. **Non-voting Advisor to the Redevelopment Commission:** (1) Under IC 36-7-14-6.1(a) and HMC Section 14.10.020(B)(3), the municipal executive must appoint a non-voting advisor who is a member of the School Board or is someone recommended by it. The member serves for a term of two years and until a successor is appointed. (*Current appointee: Pat Krull. Current term ended June 30 2018.*)

The Town Council President announced his approval and appointment of **Pat Krull**, 8811 Idlewild Avenue, Highland, as recommended by the School Board of Trustees of the School Town of Highland, to be the non-voting advisor to the Redevelopment Commission for a Term that commenced July 1, 2018 and extends to June 30, 2020.

Legislative Appointments

Home Rule Commissions

1. **Main Street Board of Directors. (17)** Town Council appointments. (*Note: Currently serving Darlene Barron, Mario DeGeorge, Lola McKay, Julie Larson, Marion D. Case, Marie Russo, Dawn Diamantopolous, J. Douglas Van Ramhorst, Mary Wells, plus eight more vacancies*)

Councilor Vassar moved the appointment of the following persons to new two-year terms on the Main Street Board of Directors, seconded by Councilor Herak. Upon a roll call vote, there were five affirmatives. The motion passed. The following persons were appointed to the Main Street Board of Directors:

(1) *Dawn Diamantopolous*, 2622 Wicker Avenue, Highland; (2) *J. Douglas Van Ram Horst*, 3236 Garfield Avenue, Highland; (3) *Mary Wells*, 3236 Garfield Avenue, Highland; (4) *Lola McKay*, 9403 Anthony Place, Highland; (5) *Marie Russo*, 2185 Ramblewood Drive, Highland; (6) *Julie Larson*, 3727 41st Lane, Highland; (7) *Emily Foreit*, 1313 Park Drive, Munster; (8) *Mary Ellis*, 2813 Jewett Street, Highland; (9) *Teri Yovkovich*, 2817 Jewett Street, Highland; (10) *Kellie Shelton*, 2641 Highway Avenue, Highland; and (11) *Renee Reinhart*, 3636-38th Street, Highland.

2. **Community Events Commission:**

(1) appointments to be made by the Town Council. **Term: 4 years.** (*Note: vacancy of which term expires January 2022*)
(9) appointments to be made by the Town Council. **Term: 1 year.** (*Note: Currently serving, Bandon Wolak, Erica Rozenich-Wolak, Adam Nyiri, Ead Mansoun, Alayna Kaim, Christopher Kornauss, Deanna Christ, Elizabeth Alakel, and Victoria Smith.*)

Councilor Zemen moved the appointment of the following persons to new one-year terms on the Community Events Commission, seconded by Councilor Herak. Upon a roll call vote, there were five affirmatives. The motion passed. The following persons were appointed to the Community Events Commission:

(1) *Brandon Wolak*, 3344 Maple Drive, Highland; (2) *Erica Rozenich-Wolak*, 3344 Maple Drive, Highland; (3) *Adam Nyiri*, 8952 Cottage Grove Avenue, Highland; (4) *Ead Mansoun*, 3720 Alti Court, Highland; (5) *Christine Clark Gonzalez*, 9032 Pettit Drive, Highland; (6) *Christopher Kornaus*, 8216 Grace Street, Highland; (7) *Deanna Christ*, 8216 Grace Place, Highland; (8) *Elizabeth Alakel*, 3048-100th Place, Highland; and (9) *Victoria Smith*, 9801 Fifth Street, Highland.

General Orders and Unfinished Business:

1. **Proposed Enactment No. 2019-08:** An Enactment Appropriating Additional Monies in Excess of the Annual Budget From Monies Received as a Grant from the State or Federal Government, pursuant to I.C. 6-1.1-18-7.5, I.C. 36-5-3-5 et seq.

Councilor Herak introduced and moved the consideration of Enactment No. 2019-08 on the same meeting of its introduction. Councilor Kuiper seconded. Upon a roll call vote, a unanimous vote being needed, there were five affirmatives and no negatives. The motion passed. The Enactment could be considered at the same meeting of its introduction.

Councilor Herak moved the passage and adoption of Enactment No. 2019-08 on the same meeting of its introduction. Councilor Kuiper seconded. Upon a roll call vote, a two-thirds vote being needed, there were five affirmatives and no negatives. The motion passed. The Enactment was passed and adopted at the same meeting of its introduction.

TOWN OF HIGHLAND APPROPRIATION ENACTMENT ENACTMENT NO. 2019-08

An Enactment Appropriating Additional Monies in Excess of the Annual Budget From Monies Received as a Grant from the State or Federal Government, pursuant to I.C. 6-1.1-18-7.5, I.C. 36-5-3-5 et seq.

WHEREAS, IC 6-1.1-18-7.5 provides that notwithstanding any other law, the appropriating body of a political subdivision may appropriate any funds received as a **grant** from the state or the federal government without using the additional appropriation procedures under IC 6-1.1-18-5, if the funds are provided or designated by the state or the federal government as a reimbursement of an expenditure made by the political subdivision;

WHEREAS, The Town Council has been informed of the receipt of funds from a Justice Assistance Grant of the **Bureau of Justice Assistance** particularly represented on Clerk-Treasurer's **receipt number 555211** in the amount of **\$1,708.00** as reimbursement in support of 2018 Bulletproof Vest Partnership;

WHEREAS, The Town Council has been further informed that these funds were provided or designated by the state or the federal government as a reimbursement of an expenditure made by the political subdivision;

NOW, THEREFORE BE IT ENACTED by the Town Council of the Town of Highland, Lake County, Indiana, as follows:

Section 1. That for the actual expenses of said municipality related to the acquisition of tactical level bullet armor (bulletproof vests) funded by Justice Assistance Grant of the **Bureau of Justice Assistance** to reimburse the municipality for fifty percent (50%) of its actual expenses incurred by the acquisition of tactical level bullet armor (bulletproof vests), and related costs the following additional sums of money, received as a grant from the state or the federal government and designated as a reimbursement of an expenditure made by the political subdivision, are hereby appropriated and ordered set apart out of the funds herein named:

MUNICIPAL CUMULATIVE CAPITAL DEVELOPMENT FUND

Increase Accounts:

Acct. 230.09 Bulletproof Vests	\$ 1,708.00
Total 200 Series Increases	\$ 1,708.00
Total of All Fund Increases:	\$ 1,708.00

Section 2. That in satisfaction and for the purposes of the provisions set out in I.C. 36-5-2-9.6, I.C. 36-5-3-5, I.C. 36-5-4-2, this enactment shall be deemed properly filed and introduced before the Town Council at a regular or special meeting, properly called and convened pursuant to I.C. 5-1.5-14 *et seq.*

Introduced and Filed on the 28th Day of January 2019. Consideration on the same day or at same meeting of introduction sustained a vote of 5 in favor and 0 opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED AND ADOPTED this 28th Day of January 2019, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

/s/ Steven Wagner, President (IC 36-5-2-10)

Attest:

/s/ Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)

2. **Resolution No. 2019-09:** A Resolution Of The Town Of Highland Council Approving The Order Of The Highland Plan Commission With Regard To The Declaratory Resolution Of The Highland Redevelopment Commission Amending The Redevelopment Plan For The Redevelopment Area II Highland Commercial Corridor.

Councilor Herak moved the passage and adoption of Resolution No. 2019-09. Councilor Zemen seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The resolution was adopted.

**Town of Highland
Town Council
Resolution No. 2019-09**

A RESOLUTION OF THE TOWN OF HIGHLAND COUNCIL APPROVING THE ORDER OF THE HIGHLAND PLAN COMMISSION WITH REGARD TO THE DECLARATORY RESOLUTION OF THE HIGHLAND REDEVELOPMENT COMMISSION AMENDING THE REDEVELOPMENT PLAN FOR THE REDEVELOPMENT AREA II, HIGHLAND COMMERCIAL CORRIDOR.

WHEREAS, The Highland Redevelopment Commission (the "Commission"), the governing body of the Town of Highland Department of Redevelopment (the "Department"), pursuant to IC 36-7-14-1, *et seq.* (the "Act"), approved and adopted its Resolution No. 2018-18 at its meeting of 19 November 2018; and

WHEREAS, The Department, pursuant to the Act, has conducted surveys and investigations and has thoroughly studied the areas within the Town of Highland, Indiana (the "Town") proposed to be designated as an Redevelopment Project District within the meaning of the Act; and

WHEREAS, The Highland Plan Commission of Highland, Indiana (the "Plan Commission") is the duly designated and acting official planning body and is charged with the duty of developing a general plan for the development of the Town of Highland, Indiana (the "Town"); and

WHEREAS, The Plan Commission, on January 16, 2019 issued its written order approving the Declaratory Resolution No. 2018-18 and the Redevelopment Plan as Amended for the *Commercial Corridor Redevelopment Area*, and certifying that the Declaratory Resolution and the Redevelopment Plan as amended conform to the plan of development for the Town of Highland; and

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Town Council of the Town of Highland, as follows:

Section 1. That the approving Order of the Highland Plan Commission, attached hereto as a certification to Redevelopment Commission Resolution No. 2018-18 and made a part hereof, is in all respects approved, ratified and confirmed;

Section 2. That this Resolution shall be in full force and effect from and after its adoption by the Town Council and signing by the President thereof, as attested thereto by the Town Clerk-Treasurer.

DULY RESOLVED and ADOPTED this 28th Day of January 2019 by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA

Steven Wagner, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM
Clerk-Treasurer (IC 33-42-4-1;IC 36-5-6-5)

EXHIBIT 1: ORDER of the Plan Commission

**TOWN OF HIGHLAND, INDIANA
HIGHLAND PLANNING COMMISSION**

**ORDER OF THE HIGHLAND PLAN COM MISSION APPROVING AN AMENDING DECLARATORY RESOLUTION OF
THE HIGHLAND REDEVELOPMENT COMMISSION FOR THE HIGHLAND COMMERCIAL CORRIDORS
REDEVELOPMENT AREA**

WHEREAS, the Highland Plan Commission (the "**Plan Commission**") is the body charged with the duty of developing a general plan of development for the Town of Highland, Indiana (the "**Town**"); and

WHEREAS, on November 19, 2018, the Highland Redevelopment Commission (the "**Commission**") adopted Resolution No. 2018-18 entitled "RESOLUTION OF THE HIGHLAND REDEVELOPMENT COMMISSION FURTHER AMENDING DECLARATORY RESOLUTION NO. 2011-11 THAT ESTABLISHED AND DESIGNATED THE HIGHLAND COMMERCIAL CORRIDORS REDEVELOPMENT AREA; APPROVED THE REDEVELOPMENT PLAN FOR THE HIGHLAND COMMERCIAL CORRIDORS REDEVELOPMENT AREA AND DESIGNATED THE HIGHLAND COMMERCIAL CORRIDORS ALLOCATION AREA IN ORDER TO EXPAND SAID REDEVELOPMENT AREA; TO AMEND SAID PLAN FOR A 2018 AMENDMENT AND TO EXPAND SAID ALLOCATION AREA AND MATTERS RELATED THERETO IN ACCORDANCE WITH THE INDIANA CODE 36-7-14 " (the "**Amending Declaratory Resolution**"); and

WHEREAS, the Declaratory Resolution amends Resolution No. 2011-11 adopted by the Commission on February 23, 2011, for the Highland Commercial Corridors Redevelopment Area (the "**Redevelopment Area**") to amend and supplement the Redevelopment Plan for the Area and to amend the allocation provision of the Declaratory Resolution in order to designate a new allocation area within the Area for new economic development opportunities presented to the Commission and for proposed redevelopment projects and programs designed to stimulate future economic development, and to authorize the Commission to undertake all activities in the Area that are allowed by the Act; and

WHEREAS, the Commission has submitted the Amending Declaratory Resolution to the Plan Commission for approval pursuant to the provisions of the Act; and

WHEREAS, the Plan Commission now desires to issue its written order approving the Amending Declaratory Resolution:

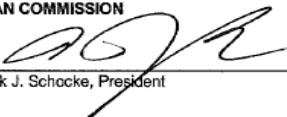
NOW, THEREFORE, IT IS ORDERED by the Highland Plan Commission, as follows:

1. The Amending Declaratory Resolution conforms to the comprehensive plan for Town;
2. The Amending Declaratory Resolution is in all respects approved, ratified and confirmed.
3. This Order is hereby designated as and constitutes the written order of the Plan Commission approving the Amending Declaratory Resolution pursuant to the requirements of Section 16 of the Act.
4. The Secretary of the Plan Commission is hereby directed to forward a copy of this Order together with the Amending Declaratory Resolution to the Town Council for its consideration.
5. The Secretary is hereby directed to file a copy of this Order with the minutes of this meeting.

SIGNATORY PAGE

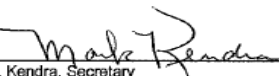
IN WITNESS WHEREOF, the members of the Highland Plan Commission have hereunto set their hands, this 16th day of January, 2019.

**TOWN OF HIGHLAND
PLAN COMMISSION**



Mark J. Schocke, President

Attest:



Mark S. Kendra, Secretary

EXHIBIT 2 BOUNDARY DESCRIPTION and MAP

Expansion Area Allocation Area

Part of the Expansion Area includes only the right-of-way of the following roadways identified herein.

Beginning at a point on western right-of-way ("ROW") of Kleinman Avenue, the southwest corner of a parcel identified as parcel number 45-07-27-476-001.000-026 as extended, as the Point of Origin. Thence north along the western ROW of Kleinman Road approximately 997.62 feet to the northern ROW of 42nd Place; thence east approximately 51.42 feet to the eastern ROW of Kleinman Avenue; thence south approximately 342.43 feet to the northwest corner of a parcel identified as parcel number 45-07-27-476-001.000-026; thence east along the northern boundary line of said parcel approximately 1,293.86 feet to the northeast corner of a parcel identified as parcel number 45-07-27-476-007.000-026; thence south approximately 639.37 feet to the southeast corner, as extended, of a parcel identified as parcel number 45-07-27-476-006.000-026; thence west along the southern boundary line of said parcel, also being Ernie Stack Drive, approximately 1,362.89 feet to a point on the western ROW of Kleinman Avenue, being the Point of Origin, consisting of 20.37 acres, more or less.

PARCEL LIST

- 45-07-27-476-001.000-026
- 45-07-27-476-007.000-026
- 45-07-27-476-006.000-026

Map of the Expansion Area

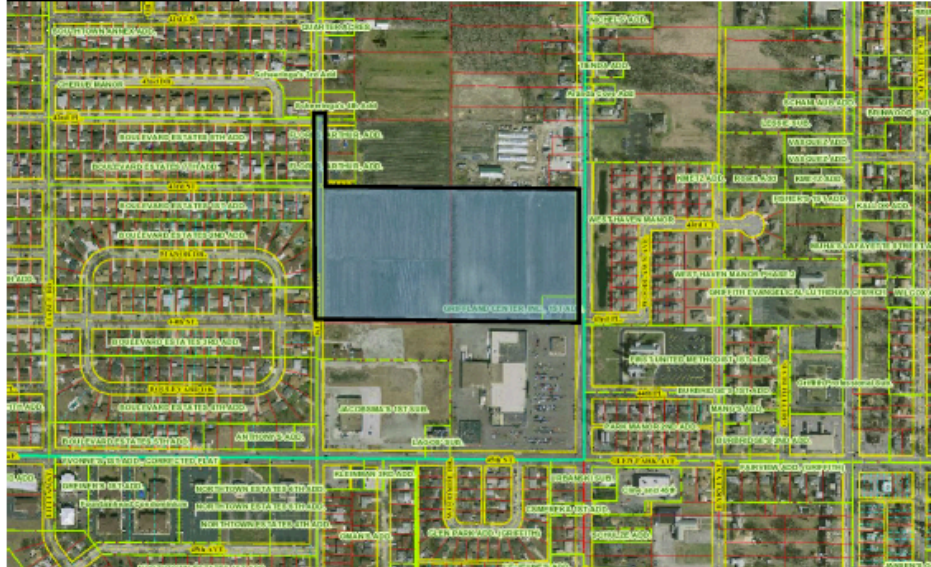


EXHIBIT 3: PRELIMINARY RESOLUTION of REDEVELOPMENT COMMISSION

HIGHLAND REDEVELOPMENT COMMISSION
HIGHLAND, INDIANA

RESOLUTION NO. 2018-18

RESOLUTION OF THE HIGHLAND REDEVELOPMENT COMMISSION FURTHER AMENDING DECLARATORY RESOLUTION NO. 2011-11 THAT ESTABLISHED AND DESIGNATED THE HIGHLAND COMMERCIAL CORRIDORS REDEVELOPMENT AREA; APPROVED THE REDEVELOPMENT PLAN FOR THE HIGHLAND COMMERCIAL CORRIDORS REDEVELOPMENT AREA AND DESIGNATED THE HIGHLAND COMMERCIAL CORRIDORS ALLOCATION AREA IN ORDER TO EXPAND SAID REDEVELOPMENT AREA; TO AMEND SAID PLAN FOR A 2018 AMENDMENT AND TO AMEND SAID ALLOCATION PROVISION AND EXPAND SAID ALLOCATION AREA AND OTHER MATTERS RELATED THERETO IN ACCORDANCE WITH THE INDIANA CODE 36-7-14

WHEREAS, the Highland Redevelopment Commission (the "Commission"), governing body of the Town of Highland, Indiana Department of Redevelopment (the "Department") and the Redevelopment District of the Town of Highland, Indiana (the "Redevelopment District") exists and operates under the provisions of the Redevelopment of Cities and Towns Act of 1953 which has been codified in I.C. 36-7-14-1 *et seq.*, as amended from time to time (the "Act"); and

WHEREAS, the Commission has previously adopted a declaratory resolution on February 23, 2011 that adopted the Redevelopment Plan for the Highland Commercial Corridors Redevelopment Area (the "Original Plan"), and designated the Highland Commercial Corridors Redevelopment Area (the "Redevelopment Area") and the related Highland Commercial Corridors Allocation Area (the "Allocation Area") under the Act; and

WHEREAS, the Commission now desires to amend the Redevelopment Area, the Allocation Area, and the Original Plan to: (i) expand the Redevelopment Area and Allocation Area as shown in the map, parcel list and boundary descriptions attached hereto as Exhibit A (the "Expansion Area" and the "Expansion Area Allocation Area"); and (ii) amend the Original Plan for the Expansion Area designated as the "Redevelopment Plan for the Highland Commercial Corridors Redevelopment Area: 2018 Amendment" (the "2018 Amendment"), attached hereto as Exhibit B.

NOW, THEREFORE, BE IT RESOLVED by the Town of Highland Redevelopment Commission that:

Section 1. The Original Plan, the Redevelopment Area, and the related Allocation Area is hereby amended to: (i) expand the Redevelopment Area and Allocation Area as shown in the map, parcel list and boundary descriptions attached hereto as Exhibit A (the "Expansion Area" and the "Expansion Area Allocation Area"); and (ii) modify and supplement the Original Plan for the Expansion Area designated as the Redevelopment Plan for the Highland Commercial Corridors Redevelopment Area: 2018 Amendment (the "2018 Amendment"), attached hereto as Exhibit B.

Section 2. The Commission now finds and determines that the boundary modifications and amendments described in Section 1 above are reasonable and appropriate when considered in relation to the Original Plan as set forth in the Act such that the Commission finds that the Original Plan with the 2018 Amendment both conform to the Comprehensive Plan for the Town.

Section 3. This paragraph shall be considered the allocation provision for the Expansion Area Allocation Area. Any property taxes levied on or after the effective date of this Resolution by or for the benefit of any public body entitled to a distribution of property taxes on taxable property in the Expansion Area Allocation Area shall be allocated and distributed in accordance with Section 39 of the Act or any applicable successor provision. This allocation provision shall expire no later than twenty-five (25) years after the date on which the first obligation is incurred to pay principal and interest on bonds or lease rentals or leases payable from tax increment revenues,

including any pledge of tax increment by the Commission.

Section 4. The 2018 Amendment is hereby adopted as a supplement to the Original Plan as a redevelopment project and redevelopment plan pursuant to Section 15 of the Act.

Section 5. The base assessment date for the Expansion Area Allocation Area shall be January 1, 2018.

Section 6. The Redevelopment Commission President or said representative is hereby authorized and directed to submit this Resolution to the Highland Plan Commission for its review and written order pursuant to Section 16(a) of the Act and to the Highland Common Council for its approval pursuant to Section 16(d) of the Act.

Section 7. The Commission also directs the presiding officer, after receipt of the written order of approval of the Plan Commission which has been approved by the Town's Common Council to publish notice of the adoption and substance of this Resolution in accordance with IC 5-3-1-4 and to file notice with the Plan Commission, the Board of Zoning Appeals, the Building Commissioner and any other departments or agencies of the Town concerned with unit planning, zoning variances, land use or the issuance of building permits. The notice must state that maps and plats have been prepared and can be inspected at the office of the Department and to set a hearing date on which the public will be allowed to be heard and the Commission will receive and hear remonstrances and objections from persons interested in or affected by the proceedings pertaining to this 2018 Amendment and to the proposed projects and then will determine the public utility and benefit of the 2018 Amendment.

Section 8. The Commission also directs the Redevelopment Commission President or said representative to prepare or cause to be prepared a statement disclosing the tax impact of the Expansion Area including the following: (a) the estimated economic benefits and costs incurred by the Expansion Area as an allocation area, as measured by increased employment and anticipated growth of real property assessed values; and (b) the anticipated impact on tax revenues of each taxing units that is either wholly or partly located within the Expansion Area Allocation Area. A copy of this statement shall be filed with each such taxing unit with a copy of the notice required under Section 17 of the Act at least ten (10) days before the date of the public hearing described in Section 7 of this Resolution.

Section 9. In all other respects, the Original Resolutions and amendments thereto and the Original Plan and amendments thereto and actions of the Commission consistent with this Resolution are hereby ratified and confirmed and reconfirmed.

Section 10. This Resolution shall be effective upon passage.

ADOPTED AND APPROVED at a meeting of the Town of Highland Redevelopment Commission held on the 19th day of November 2018.

Signatures on file

3. **Resolution No. 2019-10:** An Exigent Resolution Providing For The Transfer Of Appropriation Balances From And Among Major Budget Classifications In The Municipal Cumulative Capital Development Fund As Requested By The Proper Officer And Forwarded To The Town Council For Its Action Pursuant To IC 6-1.1-18-6.

Councilor Kuiper moved the passage and adoption of Resolution No. 2019-10. Councilor Vassar seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The Resolution was adopted

TOWN OF HIGHLAND
APPROPRIATION TRANSFER RESOLUTION
RESOLUTION NO. 2019-10

AN EXIGENT RESOLUTION PROVIDING for the TRANSFER of APPROPRIATION BALANCES from and AMONG MAJOR BUDGET CLASSIFICATIONS in the MUNICIPAL CUMULATIVE CAPITAL DEVELOPMENT FUND as REQUESTED BY THE PROPER OFFICER AND FORWARDED to the TOWN COUNCIL for its ACTION PURSUANT TO IC 6-1.1-18-6.

WHEREAS, It has been determined that certain exigent conditions have developed since adoption of the original budget and it is now necessary to transfer certain appropriations into different categories than were initially appropriated for the various functions of the **Municipal Cumulative Capital Development Fund**;

NOW, THEREFORE BE IT RESOLVED by the Town Council of the Town of Highland, Lake County, Indiana as follows:

Section 1. That for the expenses of said municipality, the following appropriations are hereby transferred and set apart out of the funds hereinafter named for the purposes specified, subject to the laws governing the same, such sums herein transferred unless otherwise stipulated by law;

Section 2. That it has been shown that certain existing unobligated appropriations of the **Municipal Cumulative Capital Development Fund**, which are not needed at this time for the purposes for which originally appropriated, and may be transferred to a category of appropriation in order to satisfy an existing need, as follows:

MUNICIPAL CUMULATIVE CAPITAL DEVELOPMENT FUND

Reduce Account:	
055-0000-41002 Municipal Hall Rehabilitation	\$ <u>3,229.50</u>
<i>Total 400 Series Reductions:</i>	\$ 3,229.50
Increase Account:	
055-0000-11105 Rehabilitation Labor	\$ 3,000.00
055-0000-11201 FICA	\$ <u>229.50</u>
<i>Total 100 Series Increases</i>	\$ 3,229.50
Total of Fund Decreases:	\$ 3,229.50
Total of Fund Increases:	\$ 3,229.50

DULY RESOLVED and ADOPTED this 28th Day of January 2019 by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

/s/ Steven Wagner, President (IC 36-5-2-10)

Attest:

/s/ Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)

- 4. Authorizing the proper officer to publish legal notice of a public hearing:** Public Hearing to consider additional appropriations in the amount of \$1,015,716.00 in the Park Capital Non Reverting Fund.

Councilor Herak moved to authorize the proper officer to public legal notice of a public hearing to be conducted on February 11, 2019 on proposed additional appropriations as indicated. Councilor Zemen seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The publication for the public hearing was authorized.

Comments from the Town Council:

- **Councilor Bernie Zemen:** *Chamber of Commerce Co-Liaison • IT Liaison • Liaison to the Board of Waterworks Directors • Liaison to the Community Events Commission.*

Councilor Zemen acknowledged the Redevelopment Director. The Redevelopment Director noted a pop-up event with Green Witch a new specialty shop in the downtown and the Lincoln Community Center; The Redevelopment Director reported on the progress of a new dental office that may be constructed

at the corner of 2nd Street and Highway Avenue, at the site of the former Kiddie Shop.

Councilor Zemen acknowledged the IT Consultant who reported on software upgrades at the Lincoln community Center.

- **Councilor Dan Vassar:** *Liaison to the Park and Recreation Board.*

Councilor Vassar thanked the Public Works Department workers for its commendable response to the streets during the recent heavy snowstorm over the weekend.

Councilor Vassar acknowledged the Parks and Recreation Superintendent who reported on the programs of the Department.

- **Councilor Mark Herak:** *Budget and Finance Chair • Liaison to the Board of Sanitary Commissioners • Liaison to the Community Events Commission • Town Board of Metropolitan Police Commissioners, Liaison.*

The Town Council President acknowledged the Public Works Director who offered a brief survey of projects and statuses in Town noting that he submitted 10 different projects to Indiana Department of Transportation for its consideration for Community Crossings Grants. The total estimated cost of the projects is \$1.8 million, with a local match of \$900, 000 being necessary if the grant is awarded.

Councilor Herak also commended the Public Works Department for its work during the recent snowstorm.

- **Councilor Konnie Kuiper:** *• Fire Department, Liaison • Chamber of Commerce Co-Liaison.*

Councilor Kuiper acknowledged the Fire Chief, who reported on an emergency incident involving CVS power loss.

- **Council President Steve Wagner:** *Town Executive • Chair of the Board of Police Pension Trustees • Advisory Board of Zoning Appeals Liaison.*

The Town Council President also commended the Public Works Department for its work during the recent snowstorm.

Comments from Visitors or Residents:

1. Larry Kondrat, 8115 E. 4th, Highland, referred to the language contained in the Resolution No. 2019-09, asked whether he could review the actual redevelopment plan, that was proposed to be amended by the action approved by the resolution.

Mr. Kondrat further sought clarification regarding the cost of the project for which an additional appropriation is being sought, for the joint project for Bike train Signage.

Payment of Accounts Payable Vouchers. There being no further comments from visitors or residents, Councilor Herak moved to allow the vendors accounts payable vouchers as filed on the pending accounts payable docket, covering the period **January 15 2019 through January 28, 2019** and the **payroll dockets for December 21, 2018; January 4th, 2019 and January 18, 2019.** Councilor Kuiper seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The accounts

payable vouchers for the vendor docket were allowed, payments allowed in advance were ratified, the payroll dockets listed were ratified and for all remaining invoices, the Clerk-Treasurer was authorized to make payment.

Vendors Accounts Payable Docket:

General Fund, \$487,673.51; Motor Vehicle Highway and Street (MVH) Fund, \$33,029.61; Local Road and Street Fund, \$1,690.82; Law Enforcement Continuing Education, Training, and Supply Fund, \$8,476.70; Corporation Bond and Interest Fund, \$433,000.00; Flexible Spending Account Agency Fund, \$949.36; Insurance Premium Agency Fund, \$279,417.00; Information and Communications Technology Fund, \$8,820.31; Civil Donation Fund, \$87.00; Special Events Non Reverting Fund, \$6,438.75; Police Pension Fund (1925 Law), \$69,755.68; Municipal Cumulative Capital Development Fund, \$59,160.92; Traffic Violations and Law Enforcement Agency Fund, \$250.00; Gaming Revenue Sharing Fund, \$1,335.60; Total: \$1,390,085.26.

Payroll Docket for payday of December 21, 2018:

Council, Boards and Commissions, \$10,617.00; Office of Clerk-Treasurer, \$16,078.28; Building and Inspection Department, \$8,780.37; Metropolitan Police Department, \$121,011.70; Fire Department, \$3,908.65; Public Works Department (Agency), \$62,856.73 and 1925 Police Pension Plan Pension Fund, \$67,795.63; Total Payroll: \$291,048.36.

Payroll Docket for payday of January 4, 2019:

Council, Boards and Commissions, \$0.00; Office of Clerk-Treasurer, \$14,716.00; Building and Inspection Department, \$7,981.94; Metropolitan Police Department, \$115,493.51; Fire Department, \$3,594.91; Public Works Department (Agency), \$62,857.87 and 1925 Police Pension Plan Pension Fund, \$0.00; Total Payroll: \$204,644.23.

Payroll Docket for payday of January 18, 2019:

Council, Boards and Commissions, \$8,199.25; Office of Clerk-Treasurer, \$14,948.18; Building and Inspection Department, \$8,375.39; Metropolitan Police Department, \$116,425.50; Fire Department, \$26,086.11; Public Works Department (Agency), \$79,907.19 and 1925 Police Pension Plan Pension Fund, \$69,548.03; Total Payroll: \$323,489.65.

Adjournment of Plenary Meeting. Councilor Vassar moved that the plenary meeting be adjourned. Councilor Kuiper seconded. Upon a vote *viva voce*, the motion passed. The regular plenary meeting of the Town Council of Monday, January 28, 2019 was adjourned at 7:41 O'clock p.m.

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer